

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**JENKINS & CLAYMAN**

Eric J Clayman, Esquire  
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Attorneys for the Debtor

In Re:

Luberky A. Guerrero de Mercado



Order Filed on November 8,  
2019 by Clerk U.S. Bankruptcy  
Court District of New Jersey

Case No.: 19-27312

Adv. No.:

Hearing Date:

Judge: Honorable Jerrold N. Poslusny, Jr.

**ORDER TO EMPLOYER TO  
PAY CHAPTER 13 TRUSTEE**

The relief set forth on the following pages, number two (2) through three (3) is hereby  
**ORDERED.**

**DATED: November 8, 2019**

A handwritten signature in dark ink, appearing to be "J. Poslusny", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

(Page 2)

Debtor: Luberky A. Guerrero de Mercado  
Case No: 19-27312  
Social Security No: xxx-xx-6668  
Caption of Order: Order to Employer to Pay Chapter 13 Trustee

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The above-named debtor has filed a proceeding under Chapter 13 of Title 11 of the United States Bankruptcy Code. The debtor's future earnings have been submitted to the jurisdiction of this Court, in furtherance of the debtor's Chapter 13 plan.

**NOW, THEREFORE,** PURSUANT TO 11 U.S.C. § 1325(c) AND § 105, IT IS ORDERED that, until further order of this Court, the employer or other party providing income to said debtor shall deduct from the earnings or income of said debtor the following sums each pay period, beginning on the next pay day following receipt of this order, and shall deduct the same amount for each pay period thereafter, including any period for which the debtor receives periodic or lump sum payment for or on account of vacation, termination or other benefits, arising out of present or past employment of the debtor, and to forthwith remit the sum so deducted to the Chapter 13 Standing Trustee.

**Debtor's Employer and Address:**

Bayada Home Health Care, Inc.  
1601 North Second Street, Suite B-8  
Millville, NJ 08332  
Attn: Payroll Department

**Trustee to Whom Payments Must be Forwarded:**

Isabel C. Balboa, Trustee  
PO Box 1978  
Memphis, TN 38101

**Amount to be Deducted and paid Per Pay Period:**

**Monthly** ☒ **\$225.00**

IT IS FURTHER ORDERED that the employer or other party making payments shall note the debtor's name and bankruptcy case number on the checks to the trustee.

(Page 3)

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IT IS FURTHER ORDERED that said employer or other party shall notify said trustee and mortgagee(s) if the earnings or income of said debtor are terminated, and the reasons for such termination.

IT IS FURTHER ORDERED that all earnings and wages of the debtor, except the amounts required to be withheld by the provisions of any laws of the United States, the laws of any State or political subdivision, or by any insurance, pension or union dues agreement between employer and the debtor, or by the order of this court, shall be paid to the debtor in accordance with employer's usual payroll procedure.

IT IS FURTHER ORDERED that no deduction for or on account of any garnishment, wage assignment, credit union or other purpose not specifically authorized by this Court shall be made from the earnings of said debtor.

IT IS FURTHER ORDERED that an order dismissing the debtor's bankruptcy case shall constitute a termination of the requirement to make payments under this order.

IT IS FURTHER ORDERED that this order supersedes previous orders, if any, made to the subject employer or other party in this cause.

IT IS FURTHER ORDERED that the attorney for the debtor shall serve copies of this order on the employer or other party, the trustee, and the mortgagee(s) within five days.

IT IS A VIOLATION OF 15 U.S.C. § 1674 AND N.J.S.A. 2A:170-90.4 FOR AN EMPLOYER TO DISCHARGE AN EMPLOYEE OR TAKE ANY OTHER DISCIPLINARY ACTION BECAUSE OF A WAGE GARNISHMENT. AN EMPLOYER VIOLATING SAID STATUTES IS SUBJECT TO FINES AND IMPRISONMENT.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Luberky A. Guerrero de Mercado  
Debtor

Case No. 19-27312-JNP  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Nov 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2019.

db +Luberky A. Guerrero de Mercado, 4530 Gail Lane, Newfield, NJ 08344-9111

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 10, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 8, 2019 at the address(es) listed below:

Brian E Caine on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT bcaine@parkermccay.com, BKcourtnotices@parkermccay.com  
Eric Clayman on behalf of Debtor Luberky A. Guerrero de Mercado jenkins.clayman@verizon.net, connor@jenkinsclayman.com  
Harold N. Kaplan on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper hkaplan@rasnj.com, informationathnk@aol.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Jane L. McDonald on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Melissa N. Licker on behalf of Creditor JPMC Specialty Mortgage LLC NJ\_ECF\_Notices@mccalla.com  
Raymond Shockley, Jr on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Rebecca Ann Solarz on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper rsolarz@kmlawgroup.com  
Stephanie F. Ritigstein on behalf of Debtor Luberky A. Guerrero de Mercado jenkins.clayman@verizon.net, connor@jenkinsclayman.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10